

SUMMARY OF DRAFT AG ORDER REQUIREMENTS

NUTRIENTS – SURFACE WATER Legal Requirement - Reduce nutrient discharges to surface waters to meet nutrient standards²				
Tier 1, Tier 2, and Tier 3 - REQUIREMENTS				
Draft Ag Order Condition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance ¹	Milestone(s) to Measure Progress	Time to Compliance
(35) Dischargers must implement proper handling, storage, disposal and management of pesticides, fertilizer, and other chemicals to prevent discharge of waste to waters of the State.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
(46) Dischargers must conduct receiving water quality monitoring	Receiving Water Monitoring and Reporting	Receiving Water	Initiated Receiving Water Monitoring	6 Months
			Reported Receiving Water Monitoring Results	1 Year and every year thereafter
(63) Dischargers must not cause or contribute to exceedances of nutrient and salt water quality standards in waters of the State or the United States. Dischargers may have to implement best management practices, treatment or control measures, or change farming practices to achieve compliance with this Order.	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter
	Receiving Water Monitoring	Receiving Water	Report Receiving Water Monitoring Results	1 Year and every year thereafter
(73 - 74) Dischargers must develop and implement a farm water quality management plan (Farm Plan).	Farm Plan	Ranch	Farm Plan developed	1.5 Years
	Management practice implementation	Ranch	Farm Plan updated	2.5 Years and every year thereafter

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(75 - 77) Dischargers must obtain appropriate farm water quality education and technical assistance to achieve compliance.	Farm Plan	Ranch		1.5 Years
Tier 2 and Tier 3 - ADDITIONAL REQUIREMENTS				
Draft Ag Order Condition/Prohibition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance	Milestone(s) to Measure Progress	Time to Compliance
(79 and 85) Tier 2 and Tier 3 Dischargers must submit an Annual Compliance Document, that includes total nitrogen applied per crop, per acre.	Compliance Document Reporting	Ranch	Compliance Document submitted	1.5 Years and every year thereafter
Tier 3 - ADDITIONAL REQUIREMENTS				
Draft Ag Order Condition/Prohibition	Confirmation of Compliance (monitoring/reporting)	Point of Compliance	Milestone(s) to Measure Progress	Time to Compliance
(48, 95) Tier 3 Dischargers must conduct individual discharge monitoring.	Individual Discharge Monitoring and Reporting	Ranch	Initiated Individual Discharge Monitoring Individual Discharge Monitoring Results	6 Months 2 Years and every year thereafter
(87) Tier 3 Dischargers with High Nitrate Loading Risk must develop and implement a certified Irrigation and Nutrient Management Plan (INMP) and verify its effectiveness	INMP Elements Reporting in Compliance Document	Ranch	INMP elements submitted	3 Years and every year thereafter
	Effectiveness of INMP Reporting in Compliance Document	Ranch	Effectiveness of INMP submitted	5 years
(100) Tier 3 Dischargers must demonstrate that they are not causing or contributing to exceedances of water quality standards for nutrients and salts in surface waters of the State or of the United States.	Management practice effectiveness reporting	Ranch	Measured load reduction	4 Years
	Nitrogen applied, nitrogen crop uptake and nitrogen balance ratios	Ranch	Measured concentration reduction in discharge	
	Individual Discharge	Variable: in		

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	Monitoring	discharge at edge of ranch or just prior to discharge entering surface water		
	Receiving Water Monitoring	Receiving Water	Measured concentration or load reduction in receiving water	

Footnote 1

The Point of Compliance does *not necessarily* refer to a place that water quality standards must be met. The Point of Compliance refers to the place where a specific condition or action required by the Order takes place and where any indicator or parameter is measured or observed as required by the Order or by the Monitoring and Reporting Program, which may or may not be receiving water. Therefore, the Point of Compliance is variable and dependent on which condition or action is under evaluation as an indicator of compliance. For example, when a discharger must implement farm water quality practices and report on the practices in the Farm Plan or Annual Compliance Document, the Point of Compliance is the farm, ranch or location where the practice is employed. If the discharger must monitor their individual discharge, the point of compliance may be any of the following as applicable: at the edge of the farm, at an appropriate point after the discharge passes through a treatment or control structure or system that is located off the farm (e.g., a vegetated buffer or conveyance ditch adjacent to the farm), or at the point just prior to the discharge entering the receiving water body, or in the receiving water.

Footnote 2

Basin Plan Chapter 2, Sec. II.A.2.a. – Narrative Biostimulatory Substances Objective

“Waters shall not contain biostimulatory substances in concentrations that promote aquatic growths to the extent that such growths cause nuisance or adversely affect beneficial uses.”

Basin Plan Chapter 2, Sec. II.A.2.a. – Numeric Unionized Ammonia Objective

“The discharge of wastes shall not cause concentrations of unionized ammonia (NH3) to exceed 0.025 mg/l (as N) in receiving waters.”

Basin Plan Chapter 2, Sec. II.A.2.a -- Numeric Nitrate and Nitrite Objectives for the protection of MUN in non-ocean surface waters

“Waters shall not contain concentrations of chemical constituents in excess of the limits specified in California Code of Regulations, Title 22, Article 4, Chapter 15, Section 64435, Tables 2 and 3 as listed in Table 3-2.”

The MCL for Nitrate (as NO3) is 45 mg/L. The MCL for Nitrate + Nitrite (sum as N) is 10 mg/L. The MCL for nitrite (as N) is 1 mg/L.

Basin Plan Chapter 2, Sec. II.A.2.a -- Numeric Objectives for the protection of AGR in non-ocean surface waters

“Waters shall not contain concentrations of chemical constituents in amounts which adversely affect the agricultural beneficial use. Interpretation of adverse effect shall be as derived from the University of California Agricultural Extension Service guidelines provided in Table 3- 3.

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In addition, waters used for irrigation and livestock watering shall not exceed concentrations for those chemicals listed in Table 3 4. ”

Guideline objectives in Table 3-3 for ammonia and nitrate are as follows: no problem < 5 mg/L, increasing problem 5 – 30 mg/L, severe > 30 mg/L. Maximum concentrations for livestock watering in Table 3-4 are as follows: nitrate + nitrite 100 mg/L, nitrite 10 mg/L.

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